IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

WP(C).No. 10354 of 2007(G)

PETITIONER:

1. A.NAVAS, AGED 39 YEARS,
   S/O. ASSAINARKUTTY, STATIONARY TRADER,
   NAVAS MANZIL, KALLELI BHAGAM, P.O.KARUNAGAPPALLY.

2. M.AMINA, AGED 32 YEARS,
   D/O. MOIDEENKUNHU, RESIDING IN 'NAVAZ MANZIL',
   KALLELI BHAGAM, P.O.KARUNAGAPPALLY.

BY ADV. SRI.C.KHALID
SRI.T.P.SAJID

RESPONDENTS:

1. THE MANAGER,
   SOUTH INDIAN BANK LTD., CHAITHANYA SHOPPING
   COMPLEX, NEAR K.S.R.T.C. BUS STATION,
   KARUNAGAPPALLY.

2. REGIONAL MANAGER,
   SOUTH INDIAN BANK LTD., P.B.NO.473,
   25/1075 - HOTEL SAFAX INTERNATIONAL BUILDING,
   ARISTO JUNCTION, TRIVANDRUM.

3. CHIEF MANAGER, (AUTHORISED OFFICER),
   REGIONAL OFFICE, HOTEL SAFA INTERNATIONAL
   BUILDING, P.B.NO.473, ARISTO JUNCTION,
   TRIVANDRUM.

BY SHRI.K.PRABHAKARAN, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.10354 of 2007

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Dated this the 8th day of June, 2007

J U D G M E N T

The petitioners have not still complied with the interim order dated 26.3.2007. The petitioners seek further time in the matter. I am not inclined to grant further time. The petitioners challenge proceedings under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act ("the Act" for short). It is settled law that the proceedings under the Act has to be challenged before the D.R.T. as provided under the Act itself. The Supreme Court has held that ordinarily this court shall not interfere with such proceedings under Article 226 of the Constitution of India. The petitioners have not made out any special circumstances warranting interference by this court under Article 226 of the Constitution of India. Accordingly, the writ petition is dismissed.

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.